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18 (Additional counsel listed on following page)

19 **UNITED STATES DISTRICT COURT**  
20 **CENTRAL DISTRICT OF CALIFORNIA**

21 LOS ANGELES WATERKEEPER, a  
22 California nonprofit corporation,

23 Plaintiff,

24 vs.

25 DYWIDAG SYSTEMS INTERNATIONAL,  
26 USA, INC., a New York corporation,

27 Defendant.

Case No. 2:24-cv-01657-AS

**NOTICE OF SETTLEMENT  
AND JOINT REQUEST FOR  
ENTRY OF CONSENT  
DECREE**

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28 Attorneys for Defendant DYWIDAG SYSTEMS  
INTERNATIONAL, USA, INC.

1           **PLEASE TAKE NOTICE** pursuant to Local Rule 40-2 that the parties have  
2 reached a settlement resolving all claims in this action.

3           On April 11, 2024, Plaintiff Los Angeles Waterkeeper and Defendant Dywidag  
4 Systems International, USA, Inc (collectively, “the Parties”) entered into a [Proposed]  
5 Consent Decree, setting forth mutually agreeable settlement terms to resolve this  
6 matter in its entirety.  
7

8           On April 12, 2024, Plaintiff sent a letter to the United States Department of  
9 Justice and the United States Environmental Protection Agency to trigger a mandatory  
10 review period for the agencies to review the [Proposed] Consent Decree entered into  
11 by the Parties. See 33 U.S.C. § 1365(c); 40 C.F.R. § 135.5.<sup>1</sup>  
12

13           On May 10, 2024, the Department of Justice sent the Parties a letter indicating  
14 that the federal agencies had no objection to entry of the [Proposed] Consent Decree.  
15 The letter is attached hereto as Exhibit 1.  
16

17           Accordingly, the Parties hereby respectfully request that the Court enter the  
18 [Proposed] Consent Decree, attached hereto as Exhibit 2, and lodged with the Court  
19 contemporaneously with this request.  
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<sup>1</sup> Title 33 of the United States Code, Section 1365(c)(2) provides that “[n]o consent  
25 judgment shall be entered in an action in which the United States is not a party prior  
26 to 45-days following the receipt of a copy of the proposed consent judgment by the  
27 Attorney General and the Administrator.”

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Respectfully submitted,

Lozeau Drury LLP

Dated: May 20, 2024

By: [s] Michael R. Lozeau\*

Michael R. Lozeau  
Attorney for Plaintiff  
Los Angeles Waterkeeper

Robins Kaplan LLP

Dated: May 20, 2024

By: [s] Jason R. Fair

Jason R. Fair  
Attorney for Defendant  
Dywidag Systems International,  
USA, Inc.

\* Pursuant to Local Rule 5-4.3.4(a)(2), I hereby attest that all other signatories listed above concur in the filing's content and have authorized this filing.